

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1222

AN ACT

AMENDING SECTIONS 4-241 AND 4-244, ARIZONA REVISED STATUTES; AMENDING TITLE 4, CHAPTER 2, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 4-244.01; RELATING TO ALCOHOLIC BEVERAGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 4-241, Arizona Revised Statutes, is amended to
3 read:

4 4-241. Selling or giving liquor to underage person; illegally
5 obtaining liquor by underage person; violation;
6 classification

7 A. A licensee, an employee or any other person who questions or has
8 reason to question whether or not a person ordering, purchasing, attempting
9 to purchase or otherwise procuring or attempting to procure the serving or
10 delivery of spirituous liquor is under the legal drinking age shall require
11 the person to exhibit a written instrument of identification and may require
12 the person on a card to be retained by the licensee to sign the person's
13 name, the date, ~~and~~ and the number of such identification. An off-sale retail
14 licensee or employee of an off-sale retail licensee shall require an
15 instrument of identification from any customer who appears to be under
16 twenty-seven years of age and who is using a drive-through or other physical
17 feature of the licensed premises that allows a customer to purchase
18 spirituous liquor without leaving the customer's vehicle. The following
19 written instruments are the only acceptable types of identification:

20 1. An unexpired driver license issued by any state or Canada if the
21 license includes a picture of the licensee.

22 2. A nonoperating identification license issued pursuant to section
23 28-3165 or an equivalent form of identification license issued by any state
24 or Canada if the license includes a picture of the person and the person's
25 date of birth.

26 3. An armed forces identification card.

27 4. A valid unexpired passport or border crossing identification card
28 ~~which~~ THAT is issued by a government or A voter card THAT IS issued by the
29 government of Mexico ~~and which~~ IF THE PASSPORT OR CARD contains a photograph
30 of the person and the person's date of birth.

31 B. A licensee, an employee or any other person who sells, gives,
32 serves or furnishes spirituous liquor to a person who is under the legal
33 drinking age without having recorded and retained a record of the person's
34 age, an electronic file or a printed document produced by a device that reads
35 the person's age from the instrument of identification and obtains a
36 signature from any person ~~who~~ WHOM the licensee has reason to question if the
37 identification belonged to the person presenting the identification, or a
38 dated and signed photocopy of the instrument of identification exhibited as
39 prescribed by subsection A of this section is deemed to have constructive
40 knowledge of the person's age. This ~~section shall~~ SUBSECTION DOES not shift
41 the presumption of constructive knowledge of a person's age for anyone using
42 a device that reads the person's age from the instrument of identification,
43 if a reasonable person would have reason to question if the identification
44 belonged to the person presenting the identification.

45 C. A person who is under the legal drinking age and who misrepresents
46 the person's age to any person by means of a written instrument of

1 identification with the intent to induce a person to sell, serve, give or
2 furnish spirituous liquor contrary to law is guilty of a class 1 misdemeanor.

3 D. A person who is under the legal drinking age and who solicits
4 another person to purchase, sell, give, serve or furnish spirituous liquor
5 contrary to law is guilty of a class 3 misdemeanor.

6 E. A person who is under the legal drinking age and who uses a
7 fraudulent or false written instrument of identification or identification of
8 another person or uses a valid license or identification of another person to
9 gain access to a licensed establishment is guilty of a class 1 misdemeanor.

10 F. A person who uses a driver or nonoperating identification license
11 in violation of subsection C or E of this section is subject to suspension of
12 the driver or nonoperating identification license as provided in section
13 28-3309. A person who does not have a valid driver or nonoperating
14 identification license and who uses a driver or nonoperating identification
15 license of another in violation of subsection C or E of this section has the
16 person's right to apply for a driver or nonoperating identification license
17 suspended as provided by section 28-3309.

18 G. A person who knowingly influences the sale, giving or serving of
19 spirituous liquor to a person under the legal drinking age by misrepresenting
20 the age of such person or who orders, requests, receives or procures
21 spirituous liquor from any licensee, employee or other person with the intent
22 of selling, giving or serving it to a person under the legal drinking age is
23 guilty of a class 1 misdemeanor. In addition to other penalties provided by
24 law, a judge may suspend a driver license issued to or the driving privilege
25 of a person for not more than thirty days for a first conviction and not more
26 than six months for a second or subsequent conviction under this subsection.

27 ~~H. A person who is of legal drinking age and who is an occupant of~~
28 ~~unlicensed premises is guilty of a class 1 misdemeanor if both of the~~
29 ~~following apply:~~

30 ~~1. Such person knowingly allows a gathering on such unlicensed~~
31 ~~premises of two or more persons who are under the legal drinking age and who~~
32 ~~are neither:~~

33 ~~(a) Members of the immediate family of such person.~~

34 ~~(b) Permanently residing with such person.~~

35 ~~2. Such person knows or should know that one or more of the persons~~
36 ~~under the legal drinking age is in possession of or consuming spirituous~~
37 ~~liquor on the unlicensed premises.~~

38 ~~I. For the purposes of subsection H of this section, "occupant" means~~
39 ~~a person who has legal possession or the legal right to exclude others from~~
40 ~~the unlicensed premises.~~

41 ~~J. H.~~ H. A peace officer shall forward or electronically transfer to the
42 director of the department of transportation the affidavit required by
43 section 28-3310 if the peace officer has arrested a person for the commission
44 of an offense for which, on conviction, suspension of the license or
45 privilege to operate a motor vehicle is required by section 28-3309,
46 subsection A, B or D, or if the peace officer has confiscated a false

1 identification document used by the person to gain access to licensed
2 premises.

3 ~~K.~~ I. A person who acts under a program of testing compliance with
4 this title ~~which~~ THAT is approved by the director is not in violation of
5 section 4-244.

6 ~~L.~~ J. Law enforcement agencies may use persons who are under the legal
7 drinking age to test compliance with this section and section 4-244,
8 paragraph 9 by a licensee if the law enforcement agency has reasonable
9 suspicion that the licensee is violating this section or section 4-244,
10 paragraph 9. A person who is under the legal drinking age and who purchases
11 or attempts to purchase spirituous liquor under the direction of a law
12 enforcement agency pursuant to this subsection is immune from prosecution for
13 that purchase or attempted purchase. Law enforcement agencies may use a
14 person under the legal drinking age pursuant to this subsection only if:

15 1. The person is at least fifteen but not more than nineteen years of
16 age.

17 2. The person is not employed on an incentive or quota basis.

18 3. The person's appearance is that of a person who is under the legal
19 drinking age.

20 4. A photograph of the person is taken no more than twelve hours
21 before the purchase or attempted purchase. The photograph shall accurately
22 depict the person's appearance and attire. A licensee or an employee of a
23 licensee who is cited for selling spirituous liquor to a person under the
24 legal drinking age pursuant to this subsection shall be permitted to inspect
25 the photograph immediately after the citation is issued. The person's
26 appearance at any trial or administrative hearing that results from a
27 citation shall not be substantially different from the person's appearance at
28 the time the citation was issued.

29 5. The person places, receives and pays for the person's order of
30 spirituous liquor. An adult shall not accompany the person onto the premises
31 of the licensee.

32 6. The person does not consume any spirituous liquor.

33 ~~M.~~ K. The department may adopt rules to carry out the purposes of this
34 section.

35 Sec. 2. Section 4-244, Arizona Revised Statutes, is amended to read:

36 4-244. Unlawful acts

37 It is unlawful:

38 1. For a person to buy for resale, sell or deal in spirituous liquors
39 in this state without first having procured a license duly issued by the
40 board.

41 2. For a person to sell or deal in alcohol for beverage purposes
42 without first complying with this title.

43 3. For a distiller, vintner, brewer or wholesaler knowingly to sell,
44 dispose of or give spirituous liquor to any person other than a licensee
45 except in sampling wares as may be necessary in the ordinary course of
46 business, except in donating spirituous liquor to a nonprofit organization

1 which has obtained a special event license for the purpose of charitable fund
2 raising activities or except in donating spirituous liquor with a cost to the
3 distiller, brewer or wholesaler of up to one hundred dollars in a calendar
4 year to an organization that is exempt from federal income taxes under
5 section 501(c) of the internal revenue code and not licensed under this
6 title.

7 4. For a distiller, vintner or brewer to require a wholesaler to offer
8 or grant a discount to a retailer, unless the discount has also been offered
9 and granted to the wholesaler by the distiller, vintner or brewer.

10 5. For a distiller, vintner or brewer to use a vehicle for trucking or
11 transportation of spirituous liquors unless there is affixed to both sides of
12 the vehicle a sign showing the name and address of the licensee and the type
13 and number of the person's license in letters not less than three and
14 one-half inches in height.

15 6. For a person to take or solicit orders for spirituous liquors
16 unless the person is a salesman or solicitor of a licensed wholesaler, a
17 salesman or solicitor of a distiller, brewer, vintner, importer or broker or
18 a registered retail agent.

19 7. For any retail licensee to purchase spirituous liquors from any
20 person other than a solicitor or salesman of a wholesaler licensed in this
21 state.

22 8. For a retailer to acquire an interest in property owned, occupied
23 or used by a wholesaler in his business, or in a license with respect to the
24 premises of the wholesaler.

25 9. Except as provided in paragraphs 10 and 11 of this section, for a
26 licensee or ~~other person~~ AN EMPLOYEE OF A LICENSEE to sell, furnish, dispose
27 of or give, or cause to be sold, furnished, disposed of or given, to a person
28 under the legal drinking age or for a person under the legal drinking age to
29 buy, receive, have in the person's possession or consume spirituous liquor.
30 This paragraph shall not prohibit the employment by an off-sale retailer of
31 persons who are at least sixteen years of age to check out, if supervised by
32 a person on the premises who is at least nineteen years of age, package or
33 carry merchandise, including spirituous liquor, in unbroken packages, for the
34 convenience of the customer of the employer, if the employer sells primarily
35 merchandise other than spirituous liquor.

36 10. For a licensee to employ a person under ~~the age of~~ nineteen years
37 OF AGE to manufacture, sell or dispose of spirituous liquors. This paragraph
38 shall not prohibit the employment by an off-sale retailer of persons who are
39 at least sixteen years of age to check out, if supervised by a person on the
40 premises who is at least nineteen years of age, package or carry merchandise,
41 including spirituous liquor, in unbroken packages, for the convenience of the
42 customer of the employer, if the employer sells primarily merchandise other
43 than spirituous liquor.

44 11. For an on-sale retailer to employ a person under ~~the age of~~
45 nineteen years OF AGE in any capacity connected with the handling of
46 spirituous liquors. This paragraph does not prohibit the employment by an

1 on-sale retailer of a person under the age of nineteen years who cleans up
2 the tables on the premises for reuse, removes dirty dishes, keeps a ready
3 supply of needed items and helps clean up the premises.

4 12. For a licensee, when engaged in waiting on or serving customers, to
5 consume spirituous liquor or for a licensee or on-duty employee to be on or
6 about the licensed premises while in an intoxicated or disorderly condition.

7 13. For an employee of a retail licensee, during that employee's
8 working hours or in connection with such employment, to give to or purchase
9 for any other person, accept a gift of, purchase for himself or consume
10 spirituous liquor, except that:

11 (a) An employee of a licensee, during that employee's working hours or
12 in connection with the employment, while the employee is not engaged in
13 waiting on or serving customers, may give spirituous liquor to or purchase
14 spirituous liquor for any other person.

15 (b) An employee of an on-sale retail licensee, during that employee's
16 working hours or in connection with the employment, while the employee is not
17 engaged in waiting on or serving customers, may taste samples of beer or wine
18 not to exceed four ounces per day or distilled spirits not to exceed two
19 ounces per day provided by an employee of a wholesaler or distributor who is
20 present at the time of the sampling.

21 (c) An employee of an on-sale retail licensee, under the supervision
22 of a manager as part of the employee's training and education, while not
23 engaged in waiting on or serving customers may taste samples of distilled
24 spirits not to exceed two ounces per educational session or beer or wine not
25 to exceed four ounces per educational session, and provided that a licensee
26 shall not have more than two educational sessions in any thirty day period.

27 (d) An unpaid volunteer who is a bona fide member of a club and who is
28 not engaged in waiting on or serving spirituous liquor to customers may
29 purchase for himself and consume spirituous liquor while participating in a
30 scheduled event at the club. An unpaid participant in a food competition may
31 purchase for himself and consume spirituous liquor while participating in the
32 food competition.

33 (e) An unpaid volunteer of a special event licensee under section
34 4-203.02 may purchase and consume spirituous liquor while not engaged in
35 waiting on or serving spirituous liquor to customers at the special
36 event. This subdivision does not apply to an unpaid volunteer whose
37 responsibilities include verification of a person's legal drinking age,
38 security or the operation of any vehicle or heavy machinery.

39 14. For a licensee or other person to serve, sell or furnish spirituous
40 liquor to a disorderly or obviously intoxicated person, or for a licensee or
41 employee of the licensee to allow or permit a disorderly or obviously
42 intoxicated person to come into or remain on or about the premises, except
43 that a licensee or an employee of the licensee may allow an obviously
44 intoxicated person to remain on the premises for a period of time of not to
45 exceed thirty minutes after the state of obvious intoxication is known or
46 should be known to the licensee in order that a nonintoxicated person may

1 transport the obviously intoxicated person from the premises. For THE
2 purposes of this ~~section~~ PARAGRAPH, "obviously intoxicated" means inebriated
3 to the extent that a person's physical faculties are substantially impaired
4 and the impairment is shown by significantly uncoordinated physical action or
5 significant physical dysfunction that would have been obvious to a reasonable
6 person.

7 15. For an on-sale or off-sale retailer or an employee of such retailer
8 to sell, dispose of, deliver or give spirituous liquor to a person between
9 the hours of 2:00 a.m. and 6:00 a.m. on weekdays, and 2:00 a.m. and 10:00
10 a.m. on Sundays.

11 16. For a licensee or employee to knowingly permit any person on or
12 about the licensed premises to give or furnish any spirituous liquor to any
13 person under the age of twenty-one or knowingly permit any person under the
14 age of twenty-one to have in the person's possession spirituous liquor on the
15 licensed premises.

16 17. For an on-sale retailer or an employee of such retailer to allow a
17 person to consume or possess spirituous liquors on the premises between the
18 hours of 2:30 a.m. and 6:00 a.m. on weekdays, and 2:30 a.m. and 10:00 a.m.
19 on Sundays.

20 18. For an on-sale retailer to permit an employee or for an employee to
21 solicit or encourage others, directly or indirectly, to buy the employee
22 drinks or anything of value in the licensed premises during the employee's
23 working hours. No on-sale retailer shall serve employees or allow a patron
24 of the establishment to give spirituous liquor to, purchase liquor for or
25 drink liquor with any employee during the employee's working hours.

26 19. For an off-sale retailer or employee to sell spirituous liquor
27 except in the original unbroken container, to permit spirituous liquor to be
28 consumed on the premises or to knowingly permit spirituous liquor to be
29 consumed on adjacent property under the licensee's exclusive control.

30 20. For a person to consume spirituous liquor in a public place,
31 thoroughfare or gathering. The license of a licensee permitting a violation
32 of this paragraph on the premises shall be subject to revocation. This
33 paragraph does not apply to the sale of spirituous liquors on the premises of
34 and by an on-sale retailer. This paragraph also does not apply to a person
35 consuming beer from a broken package in a public recreation area or on
36 private property with permission of the owner or lessor or on the walkways
37 surrounding such private property.

38 21. For a person to have possession of or to transport spirituous
39 liquor which is manufactured in a distillery, winery, brewery or rectifying
40 plant contrary to the laws of the United States and this state. Any property
41 used in transporting such spirituous liquor shall be forfeited to the state
42 and shall be seized and disposed of as provided in section 4-221.

43 22. For an on-sale retailer or employee to allow a person under the
44 legal drinking age to remain in an area on the licensed premises during those
45 hours in which its primary use is the sale, dispensing or consumption of
46 alcoholic beverages after the licensee, or the licensee's employees, know or

1 should have known that the person is under the legal drinking age. An
2 on-sale retailer may designate an area of the licensed premises as an area in
3 which spirituous liquor will not be sold or consumed for the purpose of
4 allowing underage persons on the premises if the designated area is separated
5 by a physical barrier and at no time will underage persons have access to the
6 area in which spirituous liquor is sold or consumed. The director, or a
7 municipality, may adopt rules to regulate the presence of underage persons on
8 licensed premises provided the rules adopted by a municipality are more
9 stringent than those adopted by the director. The rules adopted by the
10 municipality shall be adopted by local ordinance. This paragraph does not
11 apply:

12 (a) If the person under the legal drinking age is accompanied by a
13 spouse, parent or legal guardian of legal drinking age or is an on-duty
14 employee of the licensee.

15 (b) If the owner, lessee or occupant of the premises is a club as
16 defined in section 4-101, paragraph 7, subdivision (a) and the person under
17 the legal drinking age is any of the following:

18 (i) An active duty military service member.

19 (ii) A veteran.

20 (iii) A member of the United States army national guard or the United
21 States air national guard.

22 (iv) A member of the United States military reserve forces.

23 (c) To the area of the premises used primarily for the serving of food
24 during the hours when food is served.

25 23. For an on-sale retailer or employee to conduct drinking contests,
26 to sell or deliver to a person an unlimited number of spirituous liquor
27 beverages during any set period of time for a fixed price, to deliver more
28 than thirty-two ounces of beer, one liter of wine or four ounces of distilled
29 spirits in any spirituous liquor drink to one person at one time for that
30 person's consumption or to advertise any practice prohibited by this
31 paragraph.

32 24. For a licensee or employee to knowingly permit the unlawful
33 possession, use, sale or offer for sale of narcotics, dangerous drugs or
34 marijuana on the premises.

35 25. For a licensee or employee to knowingly permit prostitution or the
36 solicitation of prostitution on the premises.

37 26. For a licensee or employee to knowingly permit unlawful gambling on
38 the premises.

39 27. For a licensee or employee to knowingly permit trafficking or
40 attempted trafficking in stolen property on the premises.

41 28. For a licensee or employee to fail or refuse to make the premises
42 or records available for inspection and examination as provided in this title
43 or to comply with a lawful subpoena issued under this title.

44 29. For any person other than a peace officer, the licensee or an
45 employee of the licensee acting with the permission of the licensee to be in
46 possession of a firearm while on the licensed premises of an on-sale retailer

1 knowing such possession is prohibited. This paragraph shall not be construed
2 to include a situation in which a person is on licensed premises for a
3 limited time in order to seek emergency aid and such person does not buy,
4 receive, consume or possess spirituous liquor. This paragraph shall not
5 apply to hotel or motel guest room accommodations nor to the exhibition or
6 display of a firearm in conjunction with a meeting, show, class or similar
7 event.

8 30. For a licensee or employee to knowingly permit a person in
9 possession of a firearm other than a peace officer, the licensee or an
10 employee of the licensee acting with the permission of the licensee to remain
11 on the licensed premises or to serve, sell or furnish spirituous liquor to a
12 person in possession of a firearm while on the licensed premises of an
13 on-sale retailer. This paragraph shall not apply to hotel or motel guest
14 room accommodations nor to the exhibition or display of a firearm in
15 conjunction with a meeting, show, class or similar event. It shall be a
16 defense to action under this paragraph if the licensee or employee requested
17 assistance of a peace officer to remove such person.

18 31. For a licensee or employee to knowingly permit spirituous liquor to
19 be removed from the licensed premises, except in the original unbroken
20 package. This paragraph shall not apply to a person who removes a bottle of
21 wine which has been partially consumed in conjunction with a purchased meal
22 from the licensed premises if the cork is reinserted flush with the top of
23 the bottle.

24 32. For a person who is obviously intoxicated to buy or attempt to buy
25 spirituous liquor from a licensee or AN employee of a licensee or to consume
26 spirituous liquor on licensed premises. FOR THE PURPOSES OF THIS PARAGRAPH,
27 "OBVIOUSLY INTOXICATED" MEANS INEBRIATED TO THE EXTENT THAT A PERSON'S
28 PHYSICAL FACULTIES ARE SUBSTANTIALLY IMPAIRED AND THE IMPAIRMENT IS SHOWN BY
29 SIGNIFICANTLY UNCOORDINATED PHYSICAL ACTION OR SIGNIFICANT PHYSICAL
30 DYSFUNCTION THAT WOULD HAVE BEEN OBVIOUS TO A REASONABLE PERSON.

31 33. For a person under ~~the age of~~ twenty-one years OF AGE to drive or
32 be in physical control of a motor vehicle while there is any spirituous
33 liquor in the person's body.

34 34. For a person under ~~the age of~~ twenty-one years OF AGE to operate or
35 be in physical control of a motorized watercraft that is underway while there
36 is any spirituous liquor in the person's body. For the purposes of this
37 paragraph, "underway" has the same meaning prescribed in section 5-301.

38 35. For a licensee, manager, employee or controlling person to
39 purposely induce a voter, by means of alcohol, to vote or abstain from voting
40 for or against a particular candidate or issue on an election day.

41 36. For a licensee to fail to report an occurrence of an act of
42 violence to either the department or a law enforcement agency.

43 37. For a licensee to use a vending machine for the purpose of
44 dispensing spirituous liquor.

45 38. For a licensee to offer for sale a wine carrying a label including
46 a reference to Arizona or any Arizona city, town or geographic location

1 unless at least seventy-five per cent by volume of the grapes used in making
2 the wine were grown in Arizona.

3 39. For a retailer to knowingly allow a customer to bring spirituous
4 liquor onto the licensed premises, except that an on-sale retailer may allow
5 a wine and food club to bring wine onto the premises for consumption by the
6 club's members and guests of the club's members in conjunction with meals
7 purchased at a meeting of the club that is conducted on the premises and that
8 at least seven members attend. An on-sale retailer who allows wine and food
9 clubs to bring wine onto its premises under this paragraph shall comply with
10 all applicable provisions of this title and any rules adopted pursuant to
11 this title to the same extent as if the on-sale retailer had sold the wine to
12 the members of the club and their guests. For the purposes of this
13 paragraph, "wine and food club" means an association that has more than
14 twenty bona fide members paying at least six dollars per year in dues and
15 that has been in existence for at least one year.

16 40. For a person under ~~the age of~~ twenty-one years OF AGE to have in
17 the person's body any spirituous liquor. In a prosecution for a violation of
18 this paragraph:

19 (a) Pursuant to section 4-249, it is a defense that the spirituous
20 liquor was consumed in connection with the bona fide practice of a religious
21 belief or as an integral part of a religious exercise and in a manner not
22 dangerous to public health or safety.

23 (b) Pursuant to section 4-226, it is a defense that the spirituous
24 liquor was consumed for a bona fide medicinal purpose and in a manner not
25 dangerous to public health or safety.

26 41. For an employee of a licensee to accept any gratuity, compensation,
27 remuneration or consideration of any kind to either:

28 (a) Permit a person who is under twenty-one years of age to enter any
29 portion of the premises where that person is prohibited from entering
30 pursuant to paragraph 22 of this section.

31 (b) Sell, furnish, dispose of or give spirituous liquor to a person
32 who is under twenty-one years of age.

33 42. For a person to purchase, offer for sale or use any device, machine
34 or process which mixes spirituous liquor with pure oxygen or another gas to
35 produce a vaporized product for the purpose of consumption by inhalation.

36 43. For a retail licensee or an employee of a retail licensee to sell
37 spirituous liquor to a person if the retail licensee or employee knows the
38 person intends to FURNISH THE SPIRITUOUS LIQUOR TO A PERSON WHO IS UNDER THE
39 LEGAL DRINKING AGE OR resell the spirituous liquor.

40 Sec. 3. Title 4, chapter 2, article 3, Arizona Revised Statutes, is
41 amended by adding section 4-244.01, to read:

42 4-244.01. Providing spirituous liquor to persons under the
43 legal drinking age; violation; classification

44 A. IT IS UNLAWFUL FOR A PERSON TO SELL, FURNISH OR GIVE SPIRITUOUS
45 LIQUOR TO A PERSON WHO IS UNDER THE LEGAL DRINKING AGE.

1 B. IT IS UNLAWFUL FOR A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR
2 OLDER:
3 1. TO PERMIT THE USE OF UNLICENSED PREMISES THAT ARE CONTROLLED OR
4 OCCUPIED BY THE PERSON FOR A GATHERING OR AN EVENT IN WHICH THE PERSON KNOWS
5 OR SHOULD KNOW THAT PERSONS WHO ARE UNDER THE LEGAL DRINKING AGE ARE SOLD,
6 FURNISHED OR GIVEN SPIRITUOUS LIQUOR.
7 2. TO OPERATE A GATHERING OR EVENT FOR PROFIT AT AN UNLICENSED
8 PREMISES IN WHICH SPIRITUOUS LIQUOR IS SOLD, FURNISHED OR GIVEN TO PERSONS
9 UNDER THE LEGAL DRINKING AGE.
10 C. SUBSECTIONS A AND B OF THIS SECTION DO NOT APPLY TO ANY OF THE
11 FOLLOWING:
12 1. A PARENT WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO GIVES
13 SPIRITUOUS LIQUOR TO THE PARENT'S CHILD IN A PRIVATE RESIDENCE.
14 2. A GUARDIAN WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO GIVES
15 SPIRITUOUS LIQUOR TO THE GUARDIAN'S WARD IN A PRIVATE RESIDENCE.
16 3. A PERSON WHO GIVES SPIRITUOUS LIQUOR TO ANOTHER PERSON WHO IS UNDER
17 TWENTY-ONE YEARS OF AGE IN CONJUNCTION WITH A RELIGIOUS SERVICE OR CEREMONY
18 PURSUANT TO SECTION 4-249 IF THE SPIRITUOUS LIQUOR WAS LAWFULLY PURCHASED.
19 D. A PERSON WHO VIOLATES SUBSECTION A OR SUBSECTION B, PARAGRAPH 1 OF
20 THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR. A PERSON WHO VIOLATES
21 SUBSECTION B, PARAGRAPH 2 OF THIS SECTION IS GUILTY OF A CLASS 6 FELONY.